

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

SHAWN CLARKE SPOTTSWOOD,

Case No. 22-CV-800 (NEB/DTS)

Plaintiff,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

UHAUL IN HUDSON, WI, CITY OF
HUDSON, WI, CEDAR RIDGE APT,
SAINT CROIX COUNTY, WI, CEDAR
RIDGE MANAGEMENT, SAINT CROIX
COUNTY JAIL, OFFICER NAOMI
SABLE, SAINT CROIX COUNTY
PROSECUTOR, JUDGE NEEDHAM, and
HUDSON CITY POLICE OFFICERS

Defendants.

The Court has received the April 2022 Report and Recommendation of United States Magistrate Judge David T. Schultz, which recommends that the case be transferred to Wisconsin because that is the proper venue. (ECF No. 4 ("R&R").) Spottswood objects, and states that he "would prefer the case be in the district of MN" but acknowledges that the case should be transferred if required by law. (ECF No. 5.) Even though courts in this District have applied the clear error standard of review for non-specific objections, the Eighth Circuit has emphasized the necessity for *de novo* review when a party makes any objection. See *United States v. Chapman*, No. 18-CR-00250 (ECT/SER), 2019 WL 1487847, at *1–2 (D. Minn. Apr. 4, 2019) (collecting cases and discussing Eighth Circuit precedent).

*1–2 (D. Minn. Apr. 4, 2019) (collecting cases and discussing Eighth Circuit precedent).

The Court has reviewed the matter *de novo* and agrees with the thorough analysis of the R&R. Spottswood's claims are against defendants in Wisconsin and the events at issue appear to have happened in Wisconsin. Thus, Wisconsin is the proper venue for his claims. *See* 28 U.S.C. § 1391(b).

Therefore, based on the foregoing and on all the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT:

1. The Objection to the Report and Recommendation (ECF No. 5) is OVERRULED;
2. The Report and Recommendation (ECF No. 4) is ACCEPTED; and
3. The matter is TRANSFERRED to the United States District Court for the Western District of Wisconsin pursuant to 28 U.S.C. § 1406(a).

Dated: May 26, 2022

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge